

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL NO. 2:05CR069

JEFFERY CANTRELL

ORDER

This cause is before the Court the government's Motion for Continuance [17] of the trial scheduled for September 26, 2005. The Court, having reviewed the motion and being fully advised in the premises, finds as follows, to wit:

Counsel for the government, James D. Maxwell, II has been scheduled for oral argument during the week of September 26, 2005 in the United States Fifth Circuit Court of Appeals in the case of *United States v. Starnes*.

The defendant, Jeffrey Cantrell, is currently in the custody of the Mississippi Department of Corrections and would not be prejudiced by a continuance of the trial date.

Counsel for the defendant, Tom Levidiotis has no objection to the Court continuing the trial in this matter.

Accordingly, a continuance in the trial is necessary.

The abovementioned circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from September 26, 2005, until the new trial date be set in this matter. Given the circumstances cited above, the time is excludable under 18 U.S.C. § 3161(h)(8)(A). The ends of justice served by the granting of this continuance outweigh the best interests of the public and defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The government's Motion for Continuance [17] is GRANTED;
2. That the trial of this matter is continued until Monday, October 17, 2005 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire is to be held at the same time and place;
3. That the delay from September 26, 2005 until October 17, 2005 is excluded as set out above;
4. That the deadline for filing pretrial motions is September 26, 2005;
5. That the deadline for submitting a plea agreement is October 3, 2005.

SO ORDERED, this the 3rd day of August, 2005.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE